110TH CONGRESS 1ST SESSION

H. R. 4637

To amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 3, as determined by the Census Bureau.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. AL GREEN of Texas introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

- To amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty threshold for a family of 3, as determined by the Census Bureau.
 - 1 Be it enacted by the Senate and House of Representa-
 - 2 tives of the United States of America in Congress assembled,
 - 3 SECTION 1. SHORT TITLE.
 - 4 This Act may be cited as the "Living American Wage
 - 5 (LAW) Act of 2007".
 - 6 SEC. 2. FINDINGS; SENSE OF CONGRESS.
 - 7 (a) FINDINGS.—Congress finds the following:

- 1 (1) In 2007, there are 37,000,000 Americans 2 living in poverty who are separated from the oppor-3 tunities of the Nation by their income, their housing, 4 and their access to education, jobs, and health care.
 - (2) A full-time worker earning the Federal minimum wage earns an income below the Federal poverty threshold for a family of 3, consisting of 2 adults, and 1 child.
 - (3) A full-time worker earning the Federal minimum wage earns an income below the average rent for a 1-bedroom apartment.
 - (4) Two full-time workers earning the Federal minimum wage earn an income below the national housing wage, the amount a person needs to earn to afford a 2-bedroom apartment at average rent.
- (b) Sense of Congress.—It is the sense of Congress that—
 - (1) the Federal minimum wage should, as a minimum, be adjusted every 4 years so that a person working for such a wage may earn an annual income that is not less than 5 percent higher than the Federal poverty threshold for a family of 3, as determined by the Census Bureau;
 - (2) the minimum wage should be set at a level high enough to allow 2 full-time minimum wage

1	workers to earn an income above the national hous-
2	ing wage; and
3	(3) Congress or any of the several States may
4	establish a higher minimum wage requirement than
5	that established in this Act.
6	SEC. 3. MINIMUM WAGE.
7	Section 6 of the Fair Labor Standards Act of 1938
8	is amended—
9	(1) by amending subsection (a)(1) to read as
10	follows:
11	"(1) except as otherwise provided in this sec-
12	tion—
13	"(A) \$5.85 an hour beginning July 24,
14	2007;
15	"(B) not less than \$6.55 an hour begin-
16	ning July 24, 2008;
17	"(C) not less than \$7.25 an hour begin-
18	ning July 24, 2009; and
19	"(D) not less than the amount determined
20	by the Secretary under subsection (b) beginning
21	September 1, 2008;"; and
22	(2) by redesignating subsection (b) as sub-
23	section (c) and inserting after subsection (a) the fol-
24	lowing:

- 1 "(b)(1) Not later than June 1, 2008, and once every
- 2 4 years thereafter, the Secretary shall determine the min-
- 3 imum wage rate applicable under subsection (a)(1) based
- 4 on the formula described in paragraph (2). The Secretary
- 5 shall publish such wage rate in the Federal Register not
- 6 later than October 1 of each year. If such determination
- 7 results in a lower minimum wage than that then in effect,
- 8 the Secretary shall not adjust the minimum wage then in
- 9 effect pursuant to this subsection.
- 10 "(2) The minimum wage rate determined by the Sec-
- 11 retary under paragraph (1) shall be the minimum hourly
- 12 wage sufficient for a person working for such wage 40
- 13 hours per week, 52 weeks per year, to earn an annual in-
- 14 come in an amount that is 5 percent higher than the Fed-
- 15 eral poverty threshold for a 3-person household, with one
- 16 person a child under age 18, and living in the 48 contig-
- 17 uous States, as published for each such year by the Census
- 18 Bureau.".

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